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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568.009	02/09/2006	Jiunn Bay	884a.0126.u1(US)	5793
29683	7590	11/27/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			JEAN PIERRE, PEGUY	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/568,009	<b>Applicant(s)</b> BAY, JIUNN	
	<b>Examiner</b> Peguy JeanPierre	<b>Art Unit</b> 2819	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7-12, 14-23, 25, 26 and 28-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14-23, 25, 26 and 28-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2.9.2006</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed on 2/9/2006 has been considered.

### ***Drawings***

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
4. The application has not been checked to the extent necessary to determine the presence of all possible typographical and grammatical errors. Applicant cooperation is requested in correcting any errors he/she may become aware in this application.

### ***Claim Rejections - 35 USC § 112***

5. Claims 1-5, 7-12, 14-23, 25-26, 28-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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In claim 1, line 7, the term “ the second offset” lacks antecedent basis; the claim is also confusing because it is not clear whether “an associated second offset value” and “an associated second shift value” can be regarded as equivalent of a first shift value and a second shift value recited in the claim. . In addition, the claim is confusing because the letter “H” represents the height of the coding tree and the bits of the codeword. Similar rejection applies to claims 8, 15. Please clarify.

Claim 4 is confusing. The claim recites “the value of height H”. Height H is recited in claim 1 as a coding tree. In addition, the limitation lacks antecedent basis. Please clarify.

In claim 5, line 2, the term “a first shift value” is confusing. It seems to refer to “a first shift value recited in claim 1.

In claim 8, the term “ the modified codeword” lacks antecedent basis. In claim 11, line 2, the value of height H lacks antecedent basis.

In claim 15, lines 9, 10, the term “ the associated shift value” and the associated data structure” lack antecedent basis.

In claim 20, line 3,

Claim 23, line 8, the term “the value of the codeword” lacks antecedent basis.

Claim 26, line 15, the term “the internal node” lacks antecedent basis.

Claim 29, line 4, the term “ a single interior node” is confusing. It seems to refer to “a single interior node” recited in claim 29, line 2.

In claim 31, line 2, the term “ the sub-tree” lacks antecedent basis.

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In addition, the claims are confusing because the letter “H” is used to designate “the height of the Huffman coding tree” and “the bits of the codeword” in claim 1 and “the level of the nodes of the Huffman code” in claim 29.

An art rejection of claims 8-11 as understood by the Examiner appears below.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Berger et al. (USP 5,973,626).

With regard to claims 8-11, Berger et al. disclose in Figure 10 a Huffman code tree that comprises interior nodes represented by numbers (7, 8). In Figure 4, Berger discloses a table that comprises a plurality of symbols with three possible offsets. Further the symbols are right shifted based on the amount of the offsets (see col. 5, lines 42-47 and 51-59). Berger et al. disclose a lookup table (18) for processing the data i.e. to perform a predetermined shift value. With regard to claims 10-11, the code tree comprises a plurality of levels and the number of levels forms the height of the Huffman code tree (see Fig. 10A).

***Allowable Subject Matter***

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8. Claims 1-5, 7, 14-23, 25-26, 28-39 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

9. Claim 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peguy JeanPierre whose telephone number is (571) 272-1803. The examiner fax phone number is (571) 273-1803.

  
Peguy JeanPierre  
Primary Examiner